

REMARKS

Claims 1, 2, 4-10, 26, 28-33, and 37 stand rejected under 35 U.S.C. § 102(c) as anticipated by US Publication 2004/0199633 by Pearson (Pearson). Claims 11-14, 16, 18-25, 27, 24-36, and 38-40 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Pearson in view of US Patent 6,463,457 to Armentrout et al. (Armentrout).

Applicant thanks the examiner for the telephone interview of August 4, 2009. We discussed the present invention and a proposed amendment. Applicant agreed to further limit the amendment by specifying that proximities are physical distances. We agreed that the proposed amendment seems to overcome the Pearson and Armentrout references.

Amendments to the Claims

Applicant has amended claim 1 with the limitation "...a global user input module ~~receiving~~allowing a user to input a global parameter control request, the global parameter control request specifying default performance parameters for a plurality of client performance resources, the default performance parameters comprising an accessibility parameter, a client bandwidth allocation parameter, a storage allocation parameter, a memory allocation parameter, a processor allocation parameter, a client backup recoverability parameter, a client packet proximity parameter, and a client backup proximity parameter, the accessibility parameter indicating an amount of time that each client performance resource is connected to the grid computing system, the client bandwidth allocation parameter indicating client bandwidth dedicated to the grid computing system, the storage allocation parameter indicating client performance resource

storage allocated to the grid computing system, the memory allocation parameter indicating client performance resource memory allocated to the grid computing system, the processor allocation parameter indicating processing capability dedicated to the grid computing system, the client backup recoverability parameter indicating recoverability of data stored on each client performance resource, the client packet proximity parameter indicating a physical distance between client performance resources storing backup data packets, and the client backup proximity parameter indicating a physical distance of each client performance resource to a source client....” The amendment is fully supported by the specification. See pages 13-14, ¶ 47; page 14, ¶ 48-50; page 15, 51.

Claim 1 is further amended with the limitation “...a global parameter module dynamically updating the performance parameters for each client performance resource according to the global parameter control request during a concurrent grid system operation....” The amendment is fully supported by the specification. See pages 13-14, ¶ 47.

Applicant has also amended claim 1 with the limitations “...a client user input module receiving a user client parameter control request, the client parameter control request specifying first performance parameters for a first client performance resource of the plurality of client performance resources, the performance parameters comprising the accessibility parameter, the client bandwidth allocation parameter, the storage allocation parameter, the memory allocation parameter, the processor allocation parameter, and the client backup recoverability parameter....”

The amendment is well supported by the specification. See page 18, ¶ 62.

Claim 1 is further amended with the limitation “...a client allocation module allocating the first client performance resource to the grid computing system with the first performance parameters during the concurrent grid system operation in response to the client parameter control request.” The amendment is well supported by the specification. See pages 18-19, ¶ 65, claim 14.

Claims 14, 19, 22, 25, 26, and 37 are amended similarly to claim 1. Claims 6, 7, 9-13, 16, 20, 21, 24, 27, 29, 30, 32-35, 38, and 40 are amended to conform to amended predecessor claims. Claims 2, 4, 5, 18, 23, 28, and 39 are canceled.

Response to rejections of claims under 35 U.S.C. § 102(e)

Claims 1, 2, 4-10, 26, 28-33, and 37 stand rejected under 35 U.S.C. §102(e) as anticipated by Pearson. Applicant respectfully traverses these rejections.

Independent claim 1 as amended includes the limitations:

“...a storage device storing executable code;
a processor executing the executable code, the executable code comprising
a global user input module receiving a user global parameter control request, the global
parameter control request specifying default performance parameters for a
plurality of client performance resources, the default performance parameters
comprising an accessibility parameter, a client bandwidth allocation parameter, a
storage allocation parameter, a memory allocation parameter, a processor
allocation parameter, a **client backup recoverability parameter**, a **client packet
proximity parameter**, and a **client backup proximity parameter**, the
accessibility parameter indicating an amount of time that each client performance
resource is connected to the grid computing system, the client bandwidth

allocation parameter indicating client bandwidth dedicated to the grid computing system, the storage allocation parameter indicating client performance resource storage allocated to the grid computing system, the memory allocation parameter indicating client performance resource memory allocated to the grid computing system, the processor allocation parameter indicating processing capability dedicated to the grid computing system, the client backup recoverability parameter indicating recoverability of data stored on each client performance resource, the client packet proximity parameter indicating a physical distance between client performance resources storing backup data packets, and the client backup proximity parameter indicating a physical distance of each client performance resource to a source client;

- a global parameter module dynamically updating the performance parameters for each client performance resource according to the global parameter control request during a concurrent grid system operation;
- a client user input module receiving a user client parameter control request, the client parameter control request specifying first performance parameters for a first client performance resource of the plurality of client performance resources, the performance parameters comprising the accessibility parameter, the client bandwidth allocation parameter, the storage allocation parameter, the memory allocation parameter, the processor allocation parameter, and the client backup recoverability parameter; and
- a client allocation module allocating the first client performance resource to the grid computing system with the first performance parameters during the concurrent grid system operation in response to the client parameter control request.”
Emphasis added.

Independent claims 14, 19, 22, 25, 26, and 37 include similar limitations. Thus the present invention claims receiving a user global parameter control request. See claim 1. The global parameter control request specifies default performance parameters for a plurality of client

performance resources. See claim 1. The default performance parameters comprise an accessibility parameter, a client bandwidth allocation parameter, a storage allocation parameter, a memory allocation parameter, a processor allocation parameter, a client backup recoverability parameter, a client packet proximity parameter, and a client backup proximity parameter. See claim 1. The accessibility parameter indicates an amount of time that each client performance resource is connected to the grid computing system. The client bandwidth allocation parameter indicates client bandwidth dedicated to the grid computing system. The storage allocation parameter indicates client performance resource storage allocated to the grid computing system. The memory allocation parameter indicates client performance resource memory allocated to the grid computing system. The processor allocation parameter indicates processing capability dedicated to the grid computing system. The client backup recoverability parameter indicates recoverability of data stored on each client performance resource. The client packet proximity parameter indicates a physical distance between client performance resources storing backup data packets. The client backup proximity parameter indicates a physical distance of each client performance resource to a source client. The present invention further claims dynamically updating the performance parameters for each client performance resource according to the global parameter control request during a concurrent grid system operation. In addition, the present invention claims receiving a user client parameter control request. The client parameter control request specifies first performance parameters for a first client performance resource of the plurality of client performance resources. The performance parameters comprise the accessibility parameter, the client bandwidth allocation parameter, the storage allocation

parameter, the memory allocation parameter, the processor allocation parameter, and the client backup recoverability parameter. See claim 1. The present invention further claims allocating the first client performance resource to the grid computing system with the first performance parameters during the concurrent grid system operation in response to the client parameter control request. See claim 1. Thus the present invention allows a number of specified performance parameters to be controlled on a global level and at a client performance resource level. See figs. 6 and 7.

Applicant submits that claim 1 is distinguished from the teaching of Pearson by claiming "...default performance parameters comprising an accessibility parameter, a client bandwidth allocation parameter, a storage allocation parameter, a memory allocation parameter, a processor allocation parameter, a *client backup recoverability parameter*, a *client packet proximity parameter*, and a *client backup proximity parameter*...." The Examiner notes that Pearson teaches modifying a processing capacity level. Office Action of June 23, 2009 (OA), page 3, lines 8-15, citing Pearson, page 6, ¶ 39.

Applicant has amended claim 1 to include the limitations of the client backup recoverability parameter, client packet proximity parameter, and client backup proximity parameter. The client backup recoverability parameter indicates "...recoverability of data stored on each client performance resource...." See claim 1. The client packet proximity parameter indicates "...a physical distance between client performance resources storing backup data packets...." See claim 1. The client backup proximity parameter indicates "...a physical distance of each client performance resource to a source client...." See claim 1. These

parameters are not taught by Pearson, nor are they taught by Armentrout as discussed below.

Applicant therefore submits that claim 1 is allowable as Pearson does not disclose each element claimed for the present invention. Applicant further submits that independent claims 26 and 37 are allowable for the same reasons, and that claims 6-13, and 29-33 are allowable as depending from allowable claims. Claims 2, 4, 5, and 28 are canceled.

Response to rejections of claims under 35 U.S.C. § 103(a)

Claims 11-14, 16, 18-25, 27, 24-36, and 38-40 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Pearson in view of Armentrout. Applicant respectfully traverses this rejection.

Independent claims 14, 19, 22, and 25 include the limitations of “...default performance parameters comprising an accessibility parameter, a client bandwidth allocation parameter, a storage allocation parameter, a memory allocation parameter, a processor allocation parameter, a *client backup recoverability parameter*, a *client packet proximity parameter*, and a *client backup proximity parameter*....” As discussed above, Pearson does not disclose each of these limitations. As we discussed during the interview, Armentrout also does not teach these limitations. Rather, Armentrout discloses CPU speed, memory, available disk space, connectivity, bandwidth, number of nodes, reliability, work per task, and outgoing data parameters. Armentrout, col. 13, lines 4-27. Applicant therefore submits that claims 14, 19, 22, 25, and 26 are allowable as the combination of Pearson and Armentrout do not teach each limitation of the present invention. Applicants further submit that claims 16, 19-21, 24, 27, 29-36, 38, and 40 are allowable as depending from allowable claims. Claims 18, 23, and 39 are

canceled.

Conclusion

As a result of the presented remarks, Applicants assert that the application is in condition for prompt allowance. Should additional information be required regarding the traversal of the rejections of the claims enumerated above, Examiner is respectfully asked to notify Applicants of such need. If any impediments to the prompt allowance of the claims can be resolved by a telephone conversation, the Examiner is respectfully requested to contact the undersigned.

Respectfully submitted,

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